

FD-357 (Rev. 7-22-01)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - x : UNITED STATES OF AMERICA

: -v.-

: PATRICK O'DONOGHUE,

: Defendant.

: ORDER OF FORFEITURE

: 07 Cr. 989 (PAC)

- - - - - x :

WHEREAS, on or about October 24, 2007, PATRICK O'DONOGHUE (the "defendant"), was charged in a three-count Information 07 Cr. 989 (PAC) (the "Information") with conspiring to defraud the United States by obstructing the lawful functions of the United States Treasury Department, and to file false Currency Transactions Reports, in violation of Title 18, United States Code, Section 317 (Count One); and subscribing to false income tax returns, in violation of Title 26, United States Code, Section 7206(1) (Counts Two and Three);

WHEREAS, the Information included a forfeiture allegation seeking, pursuant to 31 U.S.C. § 5317, all property, real and personal, involved in the offense or traceable to such property, including but not limited to, a sum of money equal to approximately \$118,998 in United States currency, representing the property involved in the offenses charged in Count One of the Information;

WHEREAS, on or about October 24, 2007, the defendant Patrick O'Donoghue pled guilty to the Information, admitted to

the forfeiture obligation as to Count One, and agreed to the imposition of a forfeiture money judgment in the amount of \$59,499, to be paid at or before sentencing, in full satisfaction of the money judgment;

WHEREAS, on or about January 16, 2008, the defendant Patrick O'Donoghue delivered a check to the United States in the amount of \$59,499 (the "Subject Property") in full satisfaction of his forfeiture obligation;

WHEREAS, on or about February 25, 2008, the defendant was sentenced and ordered to a forfeiture money judgment in the amount of \$59,499 in U.S. currency, representing the amount of proceeds obtained as a result of the offenses charged in the Information; and

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses in the Information, for which the defendant pled guilty, a money judgment in the amount of \$59,499 shall be entered against the defendant, as part of his criminal sentence. The Subject Property shall be applied in full satisfaction of the money judgment in the amount of \$59,499 entered against the defendant.

2. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, with the consent of the defendant, this Order of Forfeiture is final as to the defendant, Patrick

O'Donoghue, and is deemed part of the sentence of the defendant and shall be included in the judgment of conviction therewith.

3. Upon execution of this Order of Forfeiture, and pursuant to 21 U.S.C. § 853, the United States Treasury Department shall be authorized to deposit the payments on the money judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

5. The Clerk of the Court shall forward four certified copies of this Order to Assistant United States Attorney, Sharon Cohen Levin, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York  
February 29, 2008

SO ORDERED,

  
HONORABLE PAUL A. CROTTY  
UNITED STATES DISTRICT JUDGE